

**TOWN OF WEBSTER**  
***Office of Selectmen***  
*945 Battle Street/Rte. 127*  
**Webster, NH 03303**

Webster Board of Selectmen's Meeting – December 28, 2009

7:10 P.M. Present: Chairman Thomas Mullins, Selectman Klumb and Selectman George Hashem.

The Board signed the payroll and check manifests.

The Board signed the following for Administrative Assistant Judith Jones:

- Selectman Klumb made a motion to accept the Selectmen's non-public minutes of December 14, 2009 as written; seconded by Selectman Hashem and approved. Selectman Klumb made a motion to accept the Selectmen's minutes of November 14, 2009 as written; seconded by Chairman Mullins and approved. The Board reviewed and initialed the November 17, 2009 minutes of the meeting they attended with the Warner Board of Selectmen;
- A leave slip for vacation and sick leave for Mrs. Jones;
- PO #33 for the Fire Department to Zoll Medical Corporation for a refurbished defibrillator with a 6 month extended warranty in the amount of \$4,500;
- A License to Sell Pistols and Revolvers for Patrick Apanel;
- The Webster Agreement for prosecutorial services with the Merrimack County Attorney; and
- All past Conservation Commissioner Members and Alternates appointment sheets so that all will be properly on file with the Town Clerk.

Mrs. Jones provided preliminary copies of the 2010 Warrant for the Board's review.

Chairman Mullins advised that Secretary Mary Smith, after being referred by the Local Government Center, spoke with Mark Rauth, a specialist in employment laws at Devine, Millette and Branch regarding the wording of the amendments proposed to the vacation policy and said that he found the wording acceptable as written. Chairman Mullins referred to the portion that in essence says use it or loose it regarding the vacation benefits. Lieutenant Mitchell said that he posed the question at an earlier meeting because he felt that employees were the most valuable assets and that this was a benefit. Selectman Hashem agreed, but felt that the employee has an obligation to use their vacation time, unless prohibited from taking time off due to unforeseen circumstances. Mrs. Pinkham said that FLSA states that vacation, holiday and sick time are all benefits assigned by the employer and are all deemed to be under the personnel policy as the employer sees fit. Selectman Hashem again advised that those employees with accrued time will not loose any accrued before the adoption of the proposed amendment. Lieutenant Mitchell said he was a firm believer in the use of vacation time to renew and refresh the employee.

Mrs. Pinkham requested to encumber \$590 from the Cemetery contracted services to be used under contracted services in 2010. Selectman Hashem made a motion to encumber the above amount, seconded by Selectman Klumb and approved. She also advised that the Town has an insurance claim due back to our insurance carrier which dates back a number of years ago when the Court ordered restitution for the damaged cruiser to be paid to the Town. The Town can only retain the \$1,000 deductible and the remaining collected, approximately \$5,700 to \$6,000, needs to be refunded to our insurance carrier. She is requesting that the Board consider encumbering an amount not to exceed \$6,000 from the \$13,000 plus left in the insurance lines. Selectman Hashem made a motion to encumber an amount not to exceed \$6,000 from the various insurance lines; seconded by Selectman Klumb and approved. Mr. Pinkham also provided the Board with the updated budget through 12/28/09.

Lieutenant Mitchell provided the Police Department semi-monthly report.

Fire Chief Adam Pouliot advised that total calls for the year are approximately 20 less that last year. He then asked if he could request that the \$345.70 be encumbered under the Public Safety Building propane line as the Town is under contract for this. Selectman Klumb made a motion to encumber the above request; seconded by Selectman Hashem and approved. There was discussion on the possibility of changing propane companies and associated costs with changing out the tanks. Mrs. Pinkham then recommended that \$1,704.97 be encumbered under Town Hall oil as that too is under contract with the Town. Selectman Klumb made a motion to encumber this amount, seconded by Selectman Hashem and approved.

Road Agent Emmett Bean, because of issues from the last snow storm, requested that Dee Blake, editor of the Grapevine, put something in her paper regarding the dangers associated with following the plow trucks, noting that the trucks are not invincible and that vehicles should avoid them at all times. This is especially true when the trucks are forced to go backwards. Lt. Mitchell will look to see if there are any statutes related to this issue.

Mrs. Blake, School Board Representative, advised that the School budget is not proposing any increases in the next year. She also noted that the 20 million dollar bond issue will be paid off in the 2010/2011 school budget year.

Mr. Bean is requesting a capital outlay article for \$40,000 for the sealing of the roads, which will be added to the proposed 2010 Warrant. He advised that two years ago it cost \$11,000 per mile for regular sealing and \$22,000 per mile for chip sealing. He hopes to be able to do three plus miles if the article passes. It was noted that the \$100,000 is proposed for the third and last year of the Pearson Hill Road Project. There is \$16,000 left from this project from 2009. It is possible that not all the money will be used, therefore, Mr. Bean is requesting to add to the warrant article that any unused portion of the funds be used for other road projects. This may have to be a separate warrant article. There was further discussion on what roads need sealing as not all roads resurfaced in the past were overlaid with a final coat of tar. There was general discussion on the culvert and bridge needs in various parts of the Town. Mrs. Blake suggested waiting until the School bond is paid off before taking on more road projects. Chairman Mullins said that putting off road projects is not practical as each year the costs increase dramatically.

Mrs. Blake recommended that the Board consider the Police Chief's position to be at least 30-34 hours per week, thereby still avoiding the need for benefits.

Bruce Johnson asked for clarification on the number of hours for the Chief's position being considered by the Board. Chairman Mullins said that the hours were being considered and no decisions have been made.

Mrs. Blake inquired as to what the Board was considering for the budget, i.e. level funding, etc. The Board advised that they were targeting numbers between what was proposed and what was voted in 2009.

Chief Pouliot requested approval to attend a NFPA Certified Fire Inspector 1 class in Derry on January 30, 2010 at a cost of \$575. He indicated that he would then do the inspection needs for the Town. The Board had no objections.

Selectman Hashem made a motion to adopt the proposed vacation policy amendments to the Personnel Policy as presented to be effective on December 29, 2009; seconded by Selectman Klumb and approved.

Selectman Hashem recommended a change to the Vehicle Policy to include verbiage that the vehicles be ordered in stock or factory colors only and will not be custom painted. Chief Pouliot and Lt. Mitchell saw no issues with this proposal. This will be added to the Vehicle Policy and discussed at the January 11, 2009 meeting.

The Board reviewed the shortage in the Highway budget and decided not to access the funds available in the Expendable Trust at this time as there are enough funds within the overall operating budget at this time.

The Board was advised that Yestramski Electrical found that the governor control for the generator had been damaged and this was not covered in his original estimate to do the major maintenance. Mr. Yestramski indicated that the part alone would be approximately \$700, however he was unable to order the specific part as the suppliers were closed for the Holidays. Mrs. Jones will request an estimate for replacement and labor in anticipation of encumbering the needed funds.

The Board discussed the 2010 legal budget. Chairman Mullins discussed the campground lawsuit, giving a short history and where we are at this point noting that as of this date the case has not been closed. After much consideration the Board decided to put \$30,000 for legal, making the total legal 2010 budget \$31,150.

The Board reviewed the proposed 2010 budget and filled in many of the blank lines. There was again discussion on what cost might be incurred by changing propane companies. Resident Tom Godfrey advised that there was no cost associated with swapping tanks. Selectman Klumb requested that any lines not filled in be filled in with the 2009 budget figures and depicted as such. The Board discussed the overall road repairs needed. As Mr. Bean had already left, it was decided to discuss this further at the next meeting so that Mr. Bean can make further recommendations. The budget has not been finalized.

Mrs. Jones advised the Board that the office would be closed Tuesday afternoon because of appointments. She requested that the office be closed Thursday, December 31, 2009 for the New Year's Day Holiday, to which the Board agreed.

9:08 P.M. Selectmen Hashem made a motion to adjourn; seconded by Selectman Klumb and approved.

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Thomas S. Mullins-Chairman  
BOS/jj

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David E. Klumb

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George K. Hashem